

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|----------------------------|---|----------------|
| IRWIN ERIC GARCIA | : | |
| | : | CIVIL ACTION |
| | : | |
| | : | |
| v. | : | |
| | : | NO. 05-CV-3479 |
| | : | |
| JOHN A. PALAKOVICH, ET AL. | : | |

ORDER

AND NOW, this 8th day of June, 2006, upon consideration of the Petition For Writ Of Habeas Corpus, after review of the Report and Recommendation (Doc. No. 22) prepared by Magistrate Judge Linda K. Caracappa,, and no objections having been filed thereto, it is ORDERED as follows:

1. The Report and Recommendations is APPROVED and ADOPTED.
2. The Petition for Writ of Habeas Corpus is DENIED with prejudice.
3. There is no probable cause to issue a certificate of appealability.
4. The Clerk of Court shall mark this case closed for statistical purposes.

IT IS SO ORDERED.

BY THE COURT:

/s R BARCLAY SURRICK

R. Barclay Surrick, Judge